

STATE OF INDIANA ) IN THE TIPPECANOE COURT  
) SS:  
COUNTY OF TIPPECANOE ) CAUSE NO.

PAUL VOORHIS, JR.

VS.

WAL-MART STORES EAST, LP

### COMPLAINT FOR DAMAGES

Comes now the plaintiff, Paul Voorhis, Jr., by counsel, Ken Nunn Law Office, and for cause of action against the defendant, Wal-Mart Stores East, LP, alleges and says:

1. That on or about February 17, 2021, the plaintiff, Paul Voorhis, Jr., was a customer at the Wal-Mart store located at 4205 Commerce Drive in Lafayette, Tippecanoe County, Indiana.
2. That on or about February 17, 2021, the plaintiff, Paul Voorhis, Jr., slipped and fell on the wet floor at said location, causing the plaintiff to suffer serious injuries.
3. That it was the duty of the defendant to use ordinary care and diligence to keep and maintain the said premises in a condition reasonably safe for its intended uses and free from all defects and conditions which would render the premises dangerous and unsafe for plaintiff, or present an unreasonable risk of harm to plaintiff in his lawful use of same.
4. That it was the duty of the defendant to exercise reasonable care to protect plaintiff, by inspection and other affirmative acts, from the danger of reasonably foreseeable injury occurring from reasonably foreseeable use of said premises.
5. That it was the duty of the defendant to have available sufficient personnel and equipment to properly inspect and maintain the aforesaid premises in a condition reasonably safe for plaintiff and free from defects and conditions rendering the premises unsafe.
6. That it was the duty of the defendant to warn plaintiff of the dangerous and unsafe condition existing on said premises.
7. That the defendant knew or should have known of the unreasonable risk of danger to the plaintiff but failed either to discover it or to correct it after discovery.

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8. That the fall and resultant permanent injuries of plaintiff were caused by the negligence of the defendant who failed to utilize reasonable care in the inspection and maintenance of said premises.

9. That the aforesaid acts of negligence on the part of the defendant were the proximate cause of the injuries sustained by the plaintiff.

10. That the plaintiff has incurred medical expenses, lost wages, and other special expenses, and will incur future medical expenses, lost wages and other special expenses, as a direct and proximate result of defendant's negligence.

WHEREFORE, the plaintiff demands judgment against the defendant for permanent injuries in a reasonable amount to be determined at the trial of this cause, for medical expenses, lost wages, and other special expenses, for future medical expenses, lost wages and other special expenses, court costs, and all other proper relief in the premises.

KEN NUNN LAW OFFICE

BY: s/ Nathan D. Foushee  
Nathan D. Foushee, #24885-49  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
Phone: (812) 332-9451  
Fax: (812) 331-5321  
E-mail: [nathanf@kennunn.com](mailto:nathanf@kennunn.com)

**REQUEST FOR TRIAL BY JURY**

Comes now the plaintiff, by counsel, Ken Nunn Law Office, and requests that this matter be tried by jury pursuant to Trial Rule 38.

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104 South Franklin Road  
Bloomington, IN 47404  
Phone: (812) 332-9451  
Fax: (812) 331-5321  
E-mail: [nathanf@kennunn.com](mailto:nathanf@kennunn.com)

Nathan D. Foushee, #24885-49  
Ken Nunn Law Office  
104 South Franklin Road  
Bloomington, IN 47404  
Telephone: 812-332-9451  
Fax Number: 812-331-5321  
Attorney for Plaintiff